

CHAPTER 7

SOLDIERS' PREFERENCE LAW

H. F. 307

AN ACT to amend chapter sixty (60), code, 1931, and section eleven hundred sixty-one (1161), code, 1931, relating to appointments under the soldiers' preference law; providing for a record of qualification and appeals to the district court and supreme court of the state of Iowa.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section eleven hundred sixty-one (1161), code, 1931,
2 is hereby amended by adding thereto the following:

3 "Said appointing officer, board, or person shall set forth in writing
4 and file for public inspection, the specific grounds upon which it is
5 held that the person appointed is entitled to said appointment, or in
6 the case such appointment is refused, the specific grounds for the
7 refusal thereof."

1 SEC. 2. Chapter sixty (60), code, 1931, is hereby amended by in-
2 serting after section eleven hundred sixty-two (1162) the following
3 section:

4 "1162-g1. In addition to the remedy provided in section one thou-
5 sand one hundred sixty-two (1162), code, 1931, an appeal may be taken
6 by any person belonging to any of the classes of persons to whom a
7 preference is hereby granted, from any refusal to allow said prefer-
8 ence, as provided in this chapter, to the district court of the county
9 in which such refusal occurs. The appeal shall be made by serving
10 upon the appointing board within twenty days after the date of the
11 refusal of said appointing officer, board, or persons to allow said pref-
12 erence, a written notice of such appeal, stating the grounds of the
13 appeal; a demand in writing for a certified transcript of the record,
14 and all papers on file in his office affecting or relating to said appoint-
15 ment. Thereupon, said appointing officer, board, or person, shall,
16 within ten days make, certify, and deliver to appellant such a trans-
17 cript; and the appellant shall, within five days thereafter, file the same
18 and a copy of the notice of appeal with the clerk of said court, and
19 said notice of appeal shall stand as appellant's complaint and there-
20 upon said cause shall be entered on the trial calendar of said court
21 for trial the same as in case of an appeal from a justice of the peace.
22 The court shall receive and consider any pertinent evidence, whether
23 oral or documentary, concerning said appointment from which the
24 appeal is taken, and if the court shall find that the said applicant is
25 qualified as defined in section one thousand one hundred fifty-nine
26 (1159), code, 1931, to hold the position for which he has applied, said
27 courts shall, by its mandate, specifically direct the said appointing
28 officer, board or person as to their further action in the matter. An
29 appeal may be taken from judgment of the said district court on any
30 such appeal on the same terms as an appeal is taken in civil actions."

1 SEC. 3. This act being deemed of immediate importance shall take
2 effect and be in full force from and after its publication, as prescribed
3 by law, in the Iowa Legionaire, a newspaper published in Des Moines,

4 Iowa, and the Red Oak Express, a newspaper published in Red Oak,
5 Iowa.

House File 307. Approved May 3, 1935.

I hereby certify that the foregoing act was published in the Iowa Legionaire, May 24, 1935, and the Red Oak Express, May 9, 1935.

MRS. ALEX MILLER, *Secretary of State.*

CHAPTER 8

ADMINISTRATION OF OATHS. INVESTIGATORS OLD AGE ASSISTANCE

H. F. 59

AN ACT to amend section twelve hundred sixteen (1216), code, 1931, relative to the administration of oaths and empowering investigators for old age assistance to take affirmations in any matter pertaining to the business of their office.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section twelve hundred sixteen (1216), code, 1931, is
2 amended by adding thereto, the following subsection:

3 "6. All investigators for old age assistance as provided for under
4 chapter nineteen (19), acts of the Forty-fifth General Assembly, in
5 extraordinary session."

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Sioux
3 City Journal, a newspaper published at Sioux City, Iowa, and the
4 Globe-Post, a newspaper published at Le Mars, Iowa.

House File 59. Approved April 29, 1935.

I hereby certify that the foregoing act was published in the Sioux City Journal, and the Le Mars Globe-Post, May 2, 1935.

MRS. ALEX MILLER, *Secretary of State.*

CHAPTER 9

ABANDONED MINES. FILLING AND SEALING OF OPENINGS

S. F. 294

AN ACT to amend chapter sixty-eight (68), code, 1931, relating to the filling or sealing of openings of abandoned mines subject to the approval of the mine inspector; relating to the breaking of any seal on any finished or abandoned mine; relating to the moving of any machinery or equipment away from such abandoned mine before the requirements of this act have been complied with; and relating to the penalty for violation of the provisions of this act.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Amend chapter sixty-eight (68), code, 1931, by adding
2 thereto, immediately following section twelve hundred forty-one
3 (1241) the following:

4 "It shall be the duty of the owner, lessee, operator of the mine or
5 owner of land on which mine is located, to permanently fill, or seal
6 all openings to the same immediately after it is finished or abandoned,
7 so as to prevent any person or animal from entering or falling into
8 the said finished or abandoned mine; and before said filling or sealing